



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Beverly Eaves Perdue
Governor

Dexter R. Matthews
Director

Dee Freeman
Secretary

SOLID WASTE SECTION

August 28, 2012

Mr. Ed Sullivan
Duke Energy Carolinas, LLC
Post Office Box 1006
Mail Code EC13K
Charlotte, North Carolina 28201-1006

Subject: Request for Operational Flexibility
Duke Energy Carolinas, LLC– Marshall Steam Station
FGD Landfill, Permit No. 1809-INDUS
Catawba County, DIN 17118

Dear Mr. Sullivan:

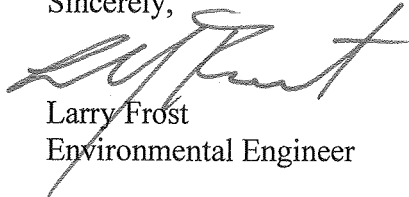
On August 28, 2012 the Division of Waste Management (Division) received Duke Energy's Request, entitled;

Duke Energy Corporation – Marshall Steam Station, Marshall FGD Landfill (Permit Number 1809-INDUS), Request for Operational Flexibility. Prepared by Duke Energy. August 28, 2012. DIN 17117.

The Request proposes a revised Operations Plan for the Landfill's weekend and holiday operations. The Division believes the Request is protective of public health and the environment. The Division hereby approves the immediate implementation of the Request at Duke Energy's, Marshall FGD Landfill, Permit No. 1809-INDUS in accordance with North Carolina Administrative Code 15A NCAC 13B .0505(3)(a). Duke Energy shall consider the referenced Request (DIN 17117) an approved document. The Landfill should operate in this manner until the current permit is either amended or modified. Finally it is the Division's expectation that, the next time the Marshall Steam Station prepares either a permit amendment or modification for the FGD Landfill that it will submit a revised Operations Plan which includes the referenced Request.

Should you have any questions regarding this matter contact me at (828) 296-4704 or larry.frost@ncdenr.gov.

Sincerely,



Larry Frost
Environmental Engineer

cc: Sean DeNeal – Duke Energy
Deb Aja – SWS/ARO